

REMARKS

This communication is in response to the Office Action dated August 27, 2003. Accordingly, a response is due on or before November 27, 2003. After entry of this amendment, claims 1-20 are pending in the application. Claims 1, 3, and 13 have been amended. Claims 14-20 have been added. Reconsideration of this application is respectfully requested.

Claims 1-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kraft et al. Kraft et al. does not anticipate, teach, or suggest the present invention as recited in claim 1. Claim 1 requires a feeder device 12 having at least one groove which in its height position is matched to the glue layer 8 and whose height extension (h1) corresponds at least to the width (h2) of the glue layer 8. The Kraft reference discloses a star-shaped wheel 12 which does not have any grooves at all. Therefore, the Kraft et al. reference does not anticipate the present invention as defined by claim 1 and claims 2-12 which depend from claim 1. Claim 13 is a method claim that requires the step of piercing the cutting device 14 through the glue layer 8 and the drinking straw into a groove 58 provided on the feeder device 12 corresponding in its height position to the glue layer 8 and the height extension (h1) of which at least corresponds to the width (h2) of the glue band. Kraft et al. does not disclose a method for piercing through a glue layer using a groove 58 formed on the feeder device. Therefore, the Kraft et al. reference does not anticipate the present invention as defined by claim 13. Reconsideration and withdrawal of the Examiner's rejection with respect to claims 1-13 is respectfully requested.

It is respectfully submitted this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims, and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of this present application can be expedited by way of an Examiner's amendment or further communication, the Examiner is invited to contact the applicant's attorney at the telephone number listed below.

Dated:

Respectfully submitted,

By Matthew D. Fair

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